Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Democratic Republic of the Congo (Asset-Freezing) (Amendment) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY INSTRUMENTS

2016 No. 1208

CRIMINAL LAW

The Democratic Republic of the Congo (Asset-Freezing) (Amendment) Regulations 2016

Made - - - -	*at 11.00 a.m. on 13th December 2016*
Laid before Parliament	*at 2.30 p.m. on 13th December 2016*
Coming into force - -	*at 3.30 p.m. on 13th December 2016*

The Treasury are designated [F1] for the purposes of section 2(2) of the European Communities Act 1972 [F2] in relation to restrictive measures against persons or bodies listed by an international organisation.

The Treasury, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972, make the following Regulations:

F1 S.I. 2010/1834.

F2 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and the European Union (Amendment) Act 2008 (c. 7), **Schedule 1**, Part 1.

Citation and commencement

1. These Regulations may be cited as the Democratic Republic of the Congo (Asset-Freezing) (Amendment) Regulations 2016 and come into force at 3.30 p.m. on 13th December 2016.

Amendments to the Democratic Republic of the Congo (Asset-Freezing) Regulations 2012

2.—(1) The Democratic Republic of the Congo (Asset-Freezing) Regulations 2012 [F3] are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) in the definition of "the Council Regulation"—

(i) after "Annex I" insert " or Ia ";

(ii) for "that Annex" substitute " Annex I or Ia ";

(b) in the definition of "designated person", after "Annex I" insert " or Ia ".

(3) For regulation 3(1) (freezing of funds and economic resources) substitute—

"(1) A person ("P") must not deal with funds or economic resources belonging to, or owned, held or controlled, directly or indirectly, by a designated person, including funds or economic resources owned, held or controlled by a third party acting on the designated person's behalf or at the designated person's direction, if P knows, or has reasonable cause to suspect, that P is dealing with such funds or economic resources.".

(4) In regulation 8 (credits to a frozen account)—

(a) at the end of paragraph (1)(a), omit the "or";

(b) at the end of paragraph (1)(b), insert " , or ";

(c) after paragraph 1(b) insert—

"(c) payments due to a person listed in Annex Ia to the Council Regulation under a judicial, administrative or arbitral decision which—

(i) was made in the European Union, or

(ii) is enforceable in the United Kingdom."; and

(d) for paragraph (4) substitute—

"(4) In this regulation, "frozen account" means an account with a relevant institution which is owned, held or controlled, directly or indirectly, by a designated person or by a third party acting on the designated person's behalf or at the designated person's direction.".

F3 S.I. 2012/1511, as amended by S.I. 2013/472 and S.I. 2013/534 and modified by the Wales Act 2014 (c. 29), **section 4(4)(a)**.

David Evennett
Andrew Griffiths
Two of the Lords Commissioners of Her Majesty's Treasury

At 11.00 a.m. on 13th December 2016